

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GUCCI AMERICA, INC.,

Plaintiff,

-against-

GUESS?, INC., MARC FISHER FOOTWEAR  
LLC, THE MAX LEATHER GROUP/CIPRIANI  
ACCESSORIES, INC., SEQUEL AG, K&M  
ASSOCIATES L.P., VIVA OPTIQUE, INC.,  
SIGNAL PRODUCTS, INC. and SWANK, INC.,

Defendants.

Civil Action No. 09cv4373  
(SAS)

**NOTICE OF MOTION FOR SUMMARY  
JUDGMENT**

**PLEASE TAKE NOTICE** that, upon the accompanying Memorandum of Law in Support of Defendants' Motion for Summary Judgment, the accompanying Statement of Undisputed Material Facts Pursuant to Local Civil Rule 56.1, and the accompanying Declaration of Robert C. Welsh and all exhibits submitted therewith, Defendants Guess?, Inc., Signal Products, Inc., The Max Leather Group/Cipriani Accessories, Inc., and Swank, Inc. (collectively, "Defendants") will move before the Honorable Judge Scheindlin, Judge of the United States District Court for the Southern District of New York, at a time and place to be scheduled by this Court, for an order granting Defendants' motion for summary judgment.

Dated: Los Angeles, California  
December 9, 2011

O'MELVENY & MYERS LLP

By: 

Daniel M. Petrocelli (dpetrocelli@omm.com)  
Robert C. Welsh (rwelsh@omm.com)  
Andrew J. Frackman (afrackman@omm.com)  
1999 Avenue of the Stars, Suite 700  
Los Angeles, California 90067  
Tel: (310) 553-6700  
Fax: (310) 246-6779

*Attorneys for Defendants Guess?, Inc., The Max  
Leather Group/Cipriani Accessories, Inc., Sequel  
AG, K&M Associates L.P., Viva Optique, Inc.,  
Signal Products, Inc., and Swank, Inc.*

John T. Williams (jwilliams@hww-law.com)  
Craig W. Mandell (cmandell@hww-law.com)  
HINKHOUSE WILLIAMS WALSH LLP  
180 N. Stetson Ave., Suite 3400  
Chicago, Illinois 60601  
Tel.: (312) 784-5400  
Fax: (312) 784-5491

*Co-counsel for Defendants The Max Leather  
Group/Cipriani Accessories, Inc. and Signal  
Products, Inc.*

Paul Fields (fields@leasonellis.com)  
LEASON ELLIS LLP  
81 Main Street, Suite 503  
White Plains, NY 10601  
Tel.: (914) 821-9077  
Fax: (914) 288-0023

*Co-counsel for Defendant Swank, Inc.*